

# Executive Proclamation

## State of South Dakota

### Office Of The Governor

PROCLAMATION CONVENING THE LEGISLATURE IN  
SPECIAL SESSION DURING THE YEAR 1981

Members of the Fifty-sixth Legislature, you are called to the chambers of the Senate and the House of Representatives at the Capitol Building, City of Pierre, South Dakota on Monday, the 18th day of May, 1981, at 10 o'clock for a special session of the South Dakota Legislature pursuant to Article IV, Section 3 of the South Dakota Constitution.

Senate Bill 236 which was passed during the 1981 Legislative Session as an emergency Act has been declared violative, in part, of the South Dakota Constitution. The effect of this holding is that the State is required to continue collecting tax revenues on highway motor fuels, but under existing law cannot spend those large amounts of revenue for any purpose. The Legislature should resolve this matter before any more substantial amounts of unspendable tax revenues are collected. South Dakota's people should not have to continue paying a tax after the authority to spend revenue from that tax has been taken away by the Supreme Court of South Dakota.

A grave situation also exists at the present time regarding the viability of the railroad transportation system that is necessary for the economic survival of the state's agricultural and business communities. Serious problems require immediate emergency legislative consideration.

NOW THEREFORE, I, WILLIAM J. JANKLOW, Governor of the State of South Dakota, do proclaim and convene the Legislature into special session for the following purposes:

- (1) To consider the elimination of that portion of the motor fuel tax which may be collected but not spent as a result of the May 8, 1981, South Dakota Supreme Court decision; and
- (2) To use its collective judgment to address the serious transportation problems of the State of South Dakota, including the expenditure of funds for the maintenance, construction and supervision of highways and bridges of the state.



ATTEST:

*Alice Kundert*  
ALICE KUNDERT, SECRETARY OF STATE

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of South Dakota, in Pierre, the Capital City, this Twelfth Day of May, in the Year of Our Lord, Nineteen Hundred and Eighty-One

*William J. Janklow*  
WILLIAM J. JANKLOW, GOVERNOR

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY  
THIS IS TO CERTIFY THAT THE MICROPHOTOGRAPHIC IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE MICROFILMING PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTOGRAPHIC REPRODUCTIONS. REDUCTION 25 ROLL NO. 3 DATE MICROFILMED 2-7-84  
*James H. [Signature]*  
CHIEF OPERATOR